

REMARKS

After the foregoing amendment, claims 1-3 and 5-21 are pending in the application.

Allowable Claims

Applicants appreciate the Examiner's indication that claims 10 and 11 would be allowable if rewritten in independent form including all limitations of the respective base and intervening claims.

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-3, 5-9 and 12-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent number 6,473,411 B1 issued to Kumaki et al. in combinations with various other respective references. Applicants respectfully traverse these rejections.

Rejections Under Kumaki and Ahmed

Claims 1-3, 5, 6, 8, 9 and 12-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent number 6,473,411 B1 issued to Kumaki et al. on October 29, 2002 in view of U.S. Patent number 6,160,804 issued to Ahmed et al. on December 12, 2000. Applicants respectfully traverse this rejection.

Applicants' claim 1 recites, "forwarding a handoff update path setup message, for handoffs processed at a network layer ...".

As stated in the Office Action, the Kumaki reference does not teach this limitation. Moreover, applicants note that the Ahmed reference does not teach this limitation either. Instead, Ahmed discloses a network layer denoted as reference designation E in FIG. 3A and a separate Subnetwork layer designated as reference designation D in FIG. 3A. The Subnetwork layer is specifically responsible for mobility management, which includes the handoff function, as shown in FIG. 3B. More specifically, the Subnetwork layer's mobility management module has a handoff manager module that is responsible for

handoff management, i.e., processing, as stated in column 19, lines 29-47. Thus, the clear teaching of Ahmed is that handoffs are processed at the Subnetwork layer and **not processed** at a network layer as required by applicants' claim 1.

Since neither reference teaches or suggests that handoffs be processed at a network layer, as recited in applicants' claim 1, a combination of the references cannot teach or suggest the limitation. Therefore claim 1 is not obvious.

Since claims 2, 3, 5, 6, 8, 9, 12 and 21 ultimately depend from claim 1, these dependent claims are therefore also believed to be allowable for at least the same reason set forth above for independent claim 1.

Similar to independent claim 1, independent claims 13 and 20 recite a limitation that handoffs are processed at a network layer. As noted, the Kumaki and Ahmed combination does not teach or suggest this limitation. Since claims 14-19 depend from allowable claim 13, these claims are also allowable over the combination of Kumaki and Ahmed.

Rejections Under Kumaki, Ahmed, and Umeda

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent number 6,473,411 B1 issued to Kumaki et al. on October 29, 2002 in view of U.S. Patent number 6,160,804 issued to Ahmed et al. on December 12, 2000 and further in view of U.S. Patent number 5,920,817 issued to Umeda on July 6, 1999.

With respect to claim 7, as noted, the Kumaki and Ahmed combination does not teach or suggest the limitation calling for "handoffs processed at a network layer" recited in applicants' independent claim 1 for the above-mentioned reasons. Umeda does not cure this deficiency because Umeda also does not teach or suggest, "handoffs processed at a network layer". Instead, Umeda discloses an arrangement for eliminating disconnections of communications at the time of handovers. Applicants note that a prior Office Action response for this application disclosed that handoffs in the prior art were processed at the data link

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layer. Umeda makes no mention of the layer in which handovers are processed. Therefore, it must be assumed that Umeda processes handoffs in the conventional manner, i.e., at the data link layer, and as such, Applicants' novel processing of handoffs at a network layer cannot be imputed to Umeda. Therefore claim 7 is allowable over the combination of Kumaki, Ahmed, and Umeda.

Accordingly, applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claim 7.

Conclusion

In view of the foregoing amendments and remarks, applicants submit that this Application is in condition for allowance, and reconsideration is therefore respectfully requested. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is invited to contact the undersigned to resolve the issues.

Respectfully submitted,

Thomas F. La Porta

By James Milton
James Milton, Attorney
Reg. No. 46935
(732) 949-7365

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